

## 2007-2008 CHARTER ISSUE SUMMARY

### Deadlines for Filing Charter-Based Ballot Measures with the Elections Division

**Issue subject:** Should we amend the deadline set forth in the charter for submitting county referenda, initiative, and charter amendments to the Elections Division in advance of county elections?

**Issue raised by:** The King County Elections Division has proposed a charter amendment to revise deadlines for submitting referenda, initiatives, and charter amendments to Elections. They have requested that deadlines be revised to match those set by state law, which would provide more time for Elections to prepare ballots.

#### Description of issue:

Currently, state law and the King County Charter set different deadlines for submission of certain types of ballot measures to the Elections Division. State law (RCW 29A.04.321(3) and 29A.04.330(3)) sets a deadline of 84 days before the August and November elections and 52 days before all other elections for submission of county, city, town and general district ballot measures, but provides an exception for ballot measures submitted pursuant to a county home-rule charter. In King County, these include charter amendments, initiatives, and referenda. The county charter sets the following deadlines for submission of these measures:

230.40 – Referendum	45 days before the election.
230.50 – Initiative	Petitions are submitted 135 days before the election, but the council first has 90 days to review the petition. As a result, the Elections Division may not receive the ballot measure until 45 days before the election (135-90=45 days).
800 – Charter Amendment	45 days before the election.

At the time it was adopted, the charter deadlines matched those in state law. However, in 2006, the state law deadline was changed to 84 days for the August and November elections and 52 days for all other elections. These revised deadlines allow more time to prepare and mail election materials such as notices, ballots, and voters' pamphlets. As a result of the change in state law, the Elections Division now receives all ballot measures 84 (for August and November) or 52 (for other elections) days before the election, but measures submitted pursuant to the Charter can still be submitted up to 45 days before an election. This later deadline for charter-based measures causes delay in the production of

all election materials. Of particular concern are delays in the production of ballots and voters' pamphlets.

Both Sherill Huff (Elections Division Director) and Sandy McConnell (Elections Manager) spoke to the committee, urging them to propose an amendment to increase the time provided for the Division to prepare for an election.

**Subcommittee Recommendations:** The Governmental Structure Subcommittee voted 7 to 2 to amend the Charter's petition submission deadlines, removing the existing deadlines and instead referring to deadlines established by ordinance. The PAO pointed out that if this charter amendment is passed by the people, Council will need to promptly adopt an ordinance setting the new deadlines.

### **Suggested Charter Amendment:**

#### 230.40 Referendum

... The ordinance to be referred shall be placed on the ballot at the next special or general election ~~occurring more than forty-five days~~ after the petitions are filed that complies with the timelines established by ordinance for presentation of referendum measures to the county auditor, provided that in the case of an ordinance effective only in unincorporated areas of the county, the proposed ordinance shall be voted upon only by the registered voters residing in unincorporated areas of the county. ...

#### 230.50 Initiative

... If the proposed ordinance is not enacted within ninety days after the petitions are ~~presented~~ filed, it shall be placed on the ballot at the next ~~regular~~ general or special election that complies with the timelines established by ordinance for presentation of initiative measures to the county auditor, ~~occurring more than one hundred thirty-five days or~~ at an earlier election designated by the county council. ...

#### 800 Charter Review Commission

... The county council may propose amendments to this charter by enacting an ordinance to submit a proposed amendment to the voters of the county at the next general election ~~occurring more than forty-five days~~ that complies with the timelines established by ordinance for presentation of proposed charter amendments to the county auditor. ...